

organizations to use Bureau of Indian Affairs equipment, land, buildings, and other structures if such use does not interfere with the purpose for which they are administered by the Bureau and when such use benefits Indians or Federal or federally funded programs. The Secretary may charge the user for the cost of the utilities and other expenses incurred for the use. The amounts collected shall be credited to the appropriation or fund from which the expenses are paid and shall be available until the end of the fiscal year following the fiscal year in which collected. The Secretary's decision to not permit a use under this section is final and shall not be subject to judicial review.

**(b) Scope of authority**

The authority provided by this section is in addition to, and not in derogation of, any other authority available to the Secretary of the Interior.

**(c) Limitation of liability**

The payment of any fee, or agreement to pay costs, to the Secretary shall not in any way or to any extent limit the right of the United States to rely upon sovereign immunity or any State or Federal statute limiting liability or damages from injuries sustained in connection with use under this section.

(Pub. L. 100-297, title V, §5405, Apr. 28, 1988, 102 Stat. 417; Pub. L. 100-427, §25, Sept. 9, 1988, 102 Stat. 1613.)

**AMENDMENTS**

1988—Subsec. (a). Pub. L. 100-427, §25(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "The Secretary of the Interior may permit tribal, student, and other non-Federal organizations to use facilities, lands, and equipment administered by the Bureau of Indian Affairs if such use does not interfere with the purpose for which the facilities, land, and equipment are administered by the Bureau. The Secretary of the Interior may charge the user for the actual or estimated additional cost of utilities or other expenses incurred because of the use and the amounts collected shall be credited to the appropriation or fund from which the expenses are paid."

Subsec. (c). Pub. L. 100-427, §25(b), added subsec. (c).

**EFFECTIVE DATE**

For effective date and applicability of section, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of Title 20, Education.

**CHAPTER 2—OFFICERS OF INDIAN AFFAIRS**

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| Sec.      |  |
| 21 to 24. | Repealed or Omitted.   |
| 25.       | Superintendent for Five Civilized Tribes.                                    |
| 25a.      | Application of civil service laws.   |
| 26 to 32. | Repealed or Omitted.   |
| 33.       | Superintendents in charge of reservations; administration of oath of office. |
| 34, 35.   | Repealed.  |
| 36.       | Special agents and other officers to administer oaths.                       |
| 37 to 39. | Repealed.  |
| 40.       | Limits of superintendencies, agencies, and subagencies.                      |
| 41.       | Special agents and commissioners.  |
| 41a.      | Indian inspectors.   |
| 42.       | Repealed.  |
| 43.       | Persons paid for other services not paid for interpreting.                   |

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| Sec.       |  |
| 44.        | Employment of Indians.   |
| 45.        | Preference to Indians qualified for duties.  |
| 46.        | Preference to Indians in employment of clerical, mechanical, and other help.                                     |
| 47.        | Employment of Indian labor and purchase of products of Indian industry; participation in Mentor-Protege Program. |
| 47a.       | Security required by Secretary; contracts with Indian-owned economic enterprise; public work.                    |
| 48.        | Right of tribes to direct employment of persons engaged for them.  |
| 49 to 52a. | Repealed.  |
| 53.        | Disbursing officers; acting clerks.  |
| 54, 55.    | Repealed.  |
| 56.        | Quarters, fuel, and light for employees.   |
| 57.        | Omitted.   |
| 58.        | Limitation on number and kind of employment.   |
| 59.        | Transfer of funds for payment of employees; details for other service.   |
| 60.        | Compensation prescribed to be in full.   |
| 61.        | Estimates for personal services in Indian Office.  |
| 62.        | Discontinuance and transfer of agencies.   |
| 63.        | Consolidation of agencies.   |
| 64.        | Services of agents dispensed with.   |
| 65.        | Discontinuance of agents, subagents, and interpreters.   |
| 66.        | Duties of agency devolved on superintendent of Indian school.  |
| 67 to 68a. | Repealed.  |

**§§ 21, 22. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, 642**

Section 21, R.S. §2039, related to the Board of Indian Commissioners.

Section 22, act Aug. 24, 1912, ch. 388, §1, 37 Stat. 521, authorized the Board of Indian Commissioners to employ and pay a secretary.

**§§ 23, 24. Omitted**

**CODIFICATION**

Section 23, act May 17, 1882, ch. 163, §1, 22 Stat. 70, related to the powers and duties of the Board of Indian Commissioners, and was omitted as superseded by Ex. Ord. No. 6145 of May 25, 1933, which abolished the Board and transferred its records, property, and personnel to the supervision of the Secretary of the Interior.

Section 24, R.S. §2042, related to the investigations by a member of the Board of Indian Commissioners, and was omitted as superseded by Ex. Ord. No. 6145 of May 25, 1933.

**§ 25. Superintendent for Five Civilized Tribes**

The offices of the Commissioner of the Five Civilized Tribes and superintendent of Union Agency, in Oklahoma, are abolished as of September 1, 1914, and in lieu thereof there shall be appointed by the President, by and with the advice and consent of the Senate, a Superintendent for the Five Civilized Tribes, with his office located in the State of Oklahoma, at a salary of \$5,000 per annum, and said superintendent shall exercise the authority and perform the duties exercised prior to September 1, 1914, by the Commissioner to the Five Civilized Tribes and the superintendent of the Union Agency, with authority to reorganize the department and to eliminate all unnecessary clerks, subject to the approval of the Secretary of the Interior.

(Aug. 1, 1914, ch. 222, §17, 38 Stat. 598.)

**TRANSFER OF FUNCTIONS**

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-